

PROB 12B  
(7/93)

**United States District Court**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

for the

**Oct 06, 2020**

**Eastern District of Washington**

SEAN F. McAVOY, CLERK

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Hector Diaz

Case Number: 0980 2:16CR00036-TOR-1

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: March 29, 2018

Type of Supervision: Term of Supervised Release

Original Offense: Conspiracy to Distribute 500  
Grams or More of a Mixture or Substance Containing  
Methamphetamine, 21 U.S.C. § 841(a)(1),  
(b)(1(A)(viii) and 846

Date Supervision Commenced: October 18, 2019

Original Sentence: Prison - 30 M; TSR - 60 M

Date Supervision Expires: October 17, 2024

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**PETITIONING THE COURT**

To remove the conditions of supervision as follows:

- 4 Defendant shall participate in a program of GPS confinement. Defendant shall wear at all times, a GPS device under the supervision of United States Probation. Defendant shall be restricted at all times, to his residence except for: attorney visits; court appearances; case-related matters; court-ordered obligations; or other activities as pre-approved by the pretrial office or supervising officer, including but not limited to employment, religious services, medical necessities.

**CAUSE**

Hector Diaz was before the Court for a detention hearing on June 25, 2020, for violations of his term of supervised release. The above condition for location monitoring was imposed and Mr. Diaz was placed on location monitoring on June 26, 2020.

Mr. Diaz was again before the Court on July 21, 2020, for a supervised release revocation hearing. He pled guilty to two violations for failing to contact the probation officer as directed and failing to comply with substance abuse treatment services. Your Honor ordered the disposition of this hearing be held in abeyance while Mr. Diaz seeks to prove his good conduct and advances in his treatment regimen. Your Honor also ordered Mr. Diaz be subject to all previously-imposed terms of supervised release ordered by the Court, and additionally for Mr. Diaz to abide by the release conditions imposed on June 25, 2020, including GPS monitoring.

Since Mr. Diaz's release from custody, he has demonstrated compliance with substance abuse treatment at Merit Resource Services. Mr. Diaz has also obtained employment at 3 Rivers Potato Services for the potato harvest. As it is the harvest season, Mr. Diaz is required to work long hours. He has been in full compliance with the requirements of the location monitoring program as well. Contact was made with Mr. Diaz on September 23, 2020, and he verbally acknowledged that he is in agreement to removing the GPS condition. Contact was made with the Assistant United

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States Attorney's Office and they have no objection to the removal of this condition

Based on Mr. Diaz's compliance with his conditions of supervised release, it is respectfully recommended that condition number 4 from the release order dated June 25, 2020, be removed. It is the opinion of the undersigned officer that the conditions for GPS monitoring is no longer necessary to ensure Mr. Diaz's compliance with his conditions of supervised release.

Respectfully submitted,

by s/Daniel M. Manning

Daniel M. Manning  
U.S. Probation Officer  
Date: October 6, 2020

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THE COURT ORDERS

- ☐ No Action  
☐ The Extension of Supervision as Noted Above  
☒ The Modification of Conditions as Noted Above  
☐ Other



Thomas O. Rice  
United States District Judge

October 6, 2020

Date